



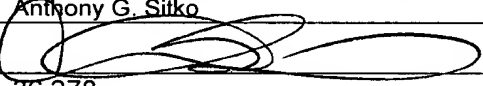
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CLAIM	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	20 - 20* =		x \$	= \$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	4 - 3** =	1	x \$ 84.00 =	84.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) 37 CFR 1.16(d)			+ \$	=
				BASIC FEE (37 CFR 1.16)	750.00
				Total of above Calculations =	834.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				
	TOTAL =				\$ 834.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 13-2855:
- a. ☐ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ 834.00 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired \_\_\_\_\_  
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

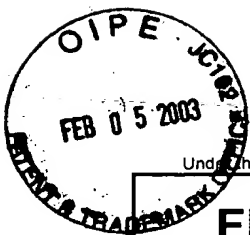
14. NEW CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/>	Customer Number or Bar Code Label	04743		or	<input type="checkbox"/> New correspondence address below
Name	Anthony G. Sitko				
Address	233 South Wacker Drive Suite 6300				
City	Chicago	State	IL	Zip Code	60606
Country	USA	Telephone	(312) 474-6300	Fax	(312) 474-0448

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	Anthony G. Sitko
Signature	
Registration No. (Attorney/Agent)	36,278
Date	February 5, 2003

I hereby certify that this correspondence and every document referred to herein are being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU424132877US, in an envelope addressed to: Box CPA, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: February 5, 2003

Signature:  (Richard Zimmermann)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2003**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **834.00****Complete if Known**

Application Number	Continuation of Serial No. 09/415,471
Filing Date	Herewith
First Named Inventor	Mark E. Gardiner
Examiner Name	Not Yet Assigned
Group Art Unit	2877
Attorney Docket No.	28724/35321

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit AccountDeposit  
Account  
Number

13-2855

Deposit  
Account  
NameMARSHALL, GERSTEIN &  
BORUN

The Commissioner is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)	1006	Basic Filing fee - Utility (CPA)			750.00
*Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3)</b>	<b>750.00</b>

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)** (\$) **0.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
20	-20** =	0.00	0.00
Independent Claims	4	-3** = 1	84.00
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$) **84.00**

\*\*or number previously paid, if greater; For Reissues, see above

**SUBMITTED BY**Name (Print/Type) **Anthony G. Sitko**Registration No.  
(Attorney/Agent)

36,278

**Complete (if applicable)**

Telephone (312) 474-6602

Signature

Date

February 5, 2003

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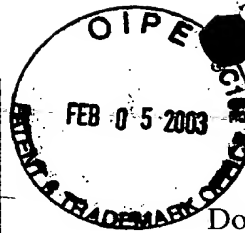
Dated: February 5, 2003

Signature: *Richard Zimmermann* (Richard Zimmermann)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU424132877US, in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: February 5, 2003

Signature: Richard Zimmermann  
(Richard Zimmermann)



Docket No.: 28724/35321  
(PATENT)

#1716  
3/15/2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mark E. Gardiner et al.

Application No.: Continuation of Serial No. 09/415,471      Group Art Unit: Not Yet Assigned

Filed: Herewith

Examiner: Not Yet Assigned

For: OPTICAL ELEMENT HAVING  
PROGRAMMED OPTICAL STRUCTURES

RECEIVED  
FEB 11 2003  
TECHNOLOGY CENTER 2800

**FIRST PRELIMINARY AMENDMENT**

**Box Non-Fee Amendment**  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Prior to examination of the above-referenced application, please enter the following amendment:

**In the Specification**

Prior to the first line of the Specification, please insert the following paragraph.

**Cross-Reference to Related Applications**

B1  
This application is a continuation application of United States Application Serial No. 09/415,471, now abandoned, the disclosure of which is hereby expressly incorporated herein by reference.

**In the Claims**

Please cancel claims 1-27, without prejudice.

Please add new claims 28-47 as follows: